

300 Council and Administration

301 Elections

301.020 Even Year Election Date. Commencing in 1996, the City's General Election shall be held on the first Tuesday after the first Monday in November of each even numbered year.

302 Council

302.010 Compensation. The Mayor and Councilmembers of the City of Shoreview shall be compensated as follows:

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5/7/18
Ord. #964

(A) As of January 1, 2019, the salary of the Mayor shall be Eight Hundred and Nineteen dollars (\$819) per month.

(B) As of January 1, 2019, the salaries of Shoreview City Councilmembers shall be Six Hundred and Eight dollars (\$608) per month.

303 Personnel Policy

303.240 Appointments.

- (A) Procedure. The City Manager shall make every appointment to a position of City employment, except when State law or ordinance otherwise provides. Each appointment shall be based on merit and qualifications for the position as determined by the City Manager.
- (B) Relationship to Other City Personnel. No person shall be appointed as a City employee who is the child, parent, stepparent and/or legal guardian, sibling, grandparent, grandchild, aunt or uncle of any elected official or elected official's spouse, appointed official or appointed official's spouse, regular employee or regular employee's spouse. The appointment of an employee's spouse to the same department in which the employee has the authority to appoint, supervise, evaluate, or discipline the position, or if the position is classified as confidential, is prohibited.
- (C) Associate Employees in Positions Handling Cash. No person shall be appointed to an associate position which requires the handling of cash, if a relative of that associate employee is already in a position that requires handling cash. A relative is the child, parent, step-parent and/or legal guardian, sibling, grandparent, grandchild, aunt or uncle of any associate employee.
- (D) Definitions:
- Regular Full-time Employee. A regular full-time employee is defined as a person who has completed the required probationary period and who is employed on a regularly scheduled basis of forty (40) or more hours per week in a single job category contained in the City's Job Classification Plan.
- Regular Part-time Employee. A regular part-time employee is defined as a person who has completed the required probationary period and who is employed on a regularly scheduled basis for at least twenty (20) hours per week but less than forty (40) hours per week in a single job category contained in the City's Job Classification Plan.
- Associate Employee. An associate employee is a person who is employed by the City but who does not satisfy the criteria for a regular full-time or a regular part-time employee.

- 303.245** **Holidays.** The following shall be the official holidays for the City and no official business shall be conducted on them: New Year's Day, January 1; Martin Luther King's Birthday, the third Monday in January; President's Day, the third Monday in February; Memorial Day, the last Monday in May; Independence Day, July 4; Labor Day, the first Monday in September; Veteran's Day, November 11; Thanksgiving Day, the fourth Thursday in November; the Friday after Thanksgiving Day; Christmas Eve Day, December 24, and Christmas Day, December 25. Except that in years when Christmas Eve Day falls on a Friday, Saturday or Sunday, employees will be given an extra floating holiday in lieu of the December 24th holiday. Otherwise, the holidays which fall on a Saturday will be observed the preceding Friday. Those which fall on a Sunday will be observed the following Monday.
- 303.250** **Discipline.** Except as otherwise provided by State law or ordinance, the City Manager or designee shall make all decisions regarding discipline of City employees, including suspension and termination.
- 303.255** **Administration.** The City Manager may establish such administrative policies and rules as may be appropriate to administer the employment practices of the City. All City employees shall comply with these policies and rules.
- 303.260** **Compensation Plan.** The City Manager will establish and maintain a compensation plan for all regular positions which will be reviewed and approved by the City Council on an annual basis.
- 303.265** **Indemnification.** The City or its insurance carrier will defend and indemnify all of its officers and employees, whether elective or appointive, against any claim or demand arising out of an alleged act or omission occurring in the performance of their official duties or employment. If judgment is rendered in favor of the officer or employee, any judgment for costs and disbursements shall be assigned to the City, and all monies collected shall be paid to the City. The provisions of this section requiring indemnification do not apply in cases of intentional tort, malfeasance in office, or willful or wanton negligence. In those cases, the City Council may indemnify the officer or employee if it finds such action to be in the public interest. Indemnification under this paragraph is subject to the liability limits imposed by Minn. Stat. 466.05 and any other relevant statutes.
- 303.270** **Prohibitions.** No person shall willfully or corruptly make any false statement, certificate, mark, rating or report in regard to any test, certificate or appointment held or made under the municipal personnel system, or in any manner commit or attempt to commit any fraud impeding the impartial execution of the City's employment policies. No person seeking employment to or promotion in the municipal service shall either directly or indirectly give,

render or pay any money, service or other valuable consideration to any person for, on account of, or in connection with his test, proposed appointment, promotion or proposed promotion.

303.275 Background Investigations. The purpose and intent of this section is to establish regulations that will allow law enforcement access to Minnesota's Computerized Criminal History information for specified non-criminal purposes of employment background checks for the positions described below.

Rev. Date 10/6/08 Ord. 835

The Ramsey County Sheriff's Department is authorized, as the exclusive law enforcement agency for the City of Shoreview, to do a criminal history background investigation on the applicants and contractors for the following positions within the City:

- Regular full-time and part-time positions
- Associate positions
- Volunteer positions
- Independent contractors for the Recreation Division

In conducting the criminal history background investigation in order to screen employment applicants, volunteers and certain independent contractors, the Ramsey County Sheriff's Department is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehension's (BCA) Computerized Criminal History information system in accordance with BCA policy. Any data that is accessed and acquired shall be maintained at the Ramsey County Sheriff's Department under the care and custody of the chief law enforcement official or his or her designee. A summary of the results of the Computerized Criminal History data may be released by the Ramsey County Sheriff's Department to the hiring authority, to include the City Manager, Human Resources Manager, other city staff and/or consultants as appropriate.

Before the investigation is undertaken, the applicant/volunteer/independent contractor must authorize the Ramsey County Sheriff's Department by written consent to undertake the investigation. Failure to provide consent may disqualify the individual from the prospective position. The written consent must fully comply with the provisions of Minnesota Statute Chapter 13 regarding the collection, maintenance and use of the information. For positions of employment, background checks will only be conducted on finalists.

Except for the positions set forth in Minnesota Statutes Section 364.09, the City will not reject an applicant for employment on the basis of the applicant's prior conviction unless the crime is directly related to the position of employment sought. If the City rejects the applicant's request on this basis, the

City shall notify the applicant in writing, including all of the information as required in Minnesota Statute 364.05.

304 Planning Commission

- 304.010** **Establishment.** A planning commission for the city of Shoreview is hereby established. The Planning Commission shall be the City planning agency.
- 304.020** **Composition.** The Planning Commission shall consist of seven (7) members who shall be appointed by the City Council. Any member of the planning commission may be removed by a majority vote of the City Council.
- 304.030** **Terms and Compensation.** Appointments to the Planning Commission shall be made at the first regular January meeting of the City Council, or more often if required. Members shall be appointed for three year terms beginning February 1 and ending January 31 of the third year following. In the event of a vacancy occurring during any term, appointments shall be for the balance of the unexpired term. Members of the Planning Commission shall receive as compensation such fees or salary as the City Council shall provide as resolution. Members of the Planning Commission shall hold office until their successors are appointed and qualified.
- 304.040** **Organization.** The City Council shall appoint a chairman from among the members of the Planning Commission. The Planning Commission may create and fill such other offices as it may determine. All officers of the Planning Commission shall serve until the following January 31.
- 304.050** **Meetings and Reports.** The Planning Commission shall hold at least one regular meeting each month. It shall adopt rules for the transaction of business. It shall keep a public record of all motions, resolutions, transactions, findings, minutes, and reports, which shall be promptly reduced to writing and a copy forwarded to each member of the City Council. The City Attorney and the City Engineer shall be official advisors to the Planning Commission. They shall attend Planning Commission meetings upon request and shall be compensated therefore in the same amount as that received for attending City Council meetings.
- 304.060** **Expenditures.** Expenditures of the Planning Commission shall be within amounts appropriated by the City Council. The Planning Commission shall submit a report of all expenditures to the City Council on or before January 1st of each year.
- 304.070** **Powers and Duties.** The Planning Commission shall be the City's planning agency. It shall exercise the duties imposed on it by the City Council including, but not limited to, the following:

- (A) Comprehensive Plan. The Planning Commission shall prepare and periodically review the City's Comprehensive Municipal Plan. It shall make recommendations to the City Council regarding the adoption of the plan or amendments thereto. Prior to submitting its recommendations to the City Council, the Planning Commission shall hold at least one Public Hearing. A notice of the time, place and purpose of the hearing shall be published once in the City's official newspaper at least ten (10) days before the date of the hearing.
- (B) Official Controls. After a Comprehensive Plan has been adopted by the City Council, the Planning Commission shall prepare and propose reasonable and practical regulations for the implementation of the policies contained in the Comprehensive Plan including, but not limited to, Zoning Regulations, Subdivision Regulations, and official maps.
- (C) Board of Adjustments and Appeals. The Planning Commission shall be the City's Board of Adjustments and Appeals. In this capacity the Planning Commission shall have the following duties:
- (1) To hear and make recommendations to the City Council where it is alleged that there is an error in any order, requirement, decision or determination made by an administrative officer in the interpretation or enforcement of the City's Zoning or Subdivision Regulations.
 - (2) To hear and determine requests for variances pursuant to Chapter 214.
 - (3) To hear appeals from affected property owners when a building permit for the construction of a building is not issued because the building is to be constructed within the limits of a mapped street, outside of any building lines that may have been established upon an existing street, or within an area identified for public purposes on an official map or maps adopted by the City. The Board may authorize the issuance of a permit for such buildings in any case in which the Board finds, upon the evidence and arguments presented to it, as follows:
 - (a) That the entire property of the affected property owner, of which such areas identified for public purposes forms a part, cannot yield a reasonable return to the owner unless such a permit is granted; and
 - (b) That, when balancing the interest of the City in preserving the integrity of the official map or maps and of the Comprehensive Municipal Plan against the interests of the affected property owner in the use and enjoyment of the benefits of ownership, the issuance of the permit is required by considerations of justice and equity.

If the Board authorizes the issuance of a building permit as provided herein, the City shall have six (6) months from the date of the decision of the Board to institute proceedings to acquire such land or interest therein. If no such proceedings are started within that time, the building permit shall be issued in accordance with applicable ordinances, if the application for such permit otherwise conforms to City regulations.

- (D) Development Regulations. The Planning Commission shall have the power and duties imposed on it by the City's Development Regulations.

305 Park and Recreation Commission

- 305.010 Establishment of Commission.** A Park and Recreation Commission is hereby established to advise the City Council on park and recreation related matters.
- 305.020 Composition.** A Park and Recreation Commission shall consist of seven (7) to nine (9) members appointed by the City Council. The City Council may, at its own discretion, appoint a youth representative with full voting privileges. The youth representative must be a high school sophomore, junior, or senior and attend two regular meetings before being appointed. Any member of the Commission may be removed by a majority vote of the City Council.
- 305.030 Terms and Compensation.** Appointment to the Commission shall be made at the first regular January meeting of the City Council, or more often if required. Members shall be appointed for three (3) year terms beginning February 1 and ending January 31 of the third year following. Initial appointments pursuant to this ordinance shall be as follows: two (2) members shall be appointed for the term of one (1) year; two (2) members for the term of two (2) years; three (3) members for a term of three (3) years. Members appointed after the initial Commission shall be appointed for a three year term. Members of the Commission may receive compensation as the City Council shall provide by resolution.
- 305.040 Vacancies.** In case of a vacancy during the term of office of any member of the Commission, the City Council shall appoint a new member to serve the remainder of the term. A vacancy shall exist if any of the following occur: death, disability, failure to serve, as shown by failure to attend a specific number of regular meetings as established by the Commission rules of procedure, residence outside of the city, or resignation.
- 305.050 Organization.** The Commission shall annually elect one member to serve as chairman. The chairman is responsible for the agenda of the meetings, presiding at meetings, minutes of meetings and reports and recommendations to the City Council. The Park and Recreation Department shall maintain all records of the Commission.
- 305.060 Meetings and Reports.** The Commission shall hold at least one regular meeting each month. It shall adopt rules of procedure for business and shall keep a public record of all motions, resolutions, findings, minutes and reports which shall be reduced in writing and a copy forwarded to the City Council. The Park and Recreation Director shall be the official advisor attending meetings upon request.

305.070 Duties and Functions. The duties and functions of the Commission shall be as follows:

- (A) Serve in an advisory capacity to the City Council on parks and recreation matters.
- (B) Endeavor to secure a full and complete understanding of the City's needs and desires for parks and recreational facilities and be sensitive to the acceptance within the community of the current programs.
- (C) Convey to the City Council their understanding of the community's sentiment regarding recreation and parks and to submit recommendations to the City Council on parks and recreation programs and policy.
- (D) Review conditions and adequacy of City park property.
- (E) Review conditions and adequacy of City recreation programs.
- (F) Provide hearings to groups or individuals upon request regarding parks and recreation matters.
- (G) Propose regulations for control of City park property to the City Council.
- (H) Advise and assist architectural engineers on preparation of specific plans prior to their presentation to the City Council for formal approval.
- (I) Represent the City at community functions where appropriate and approved by the City Council.
- (J) Represent the City at meetings with other community, county or state boards of similar nature where appropriate and approved by the City Council.
- (K) Perform other duties and functions or conduct studies and investigations as specifically directed or delegated by the City Council.
- (L) Advise and assist the Planning Commission in maintaining the community facilities and capital improvement portions of the comprehensive plan.
- (M) Be aware of the role and services provided by athletic organizations within the community.
- (N) Advise the City Council regarding forestation or reforestation programs for the City.

306 Civil Defense

306.010 **Purpose.** Because of the existing and increasing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage, or other hostile action, or from fire, flood, earthquake or other natural causes, and in order to insure that the preparations of this City will be adequate to deal with such disasters, and generally to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of this City, it is necessary:

- (A) To establish a local Civil Defense Agency;
- (B) To provide for the exercise of necessary powers during civil defense emergencies;
- (C) To provide for the rendering of mutual aid between this City and other political subdivisions of this State and of other states with respect to the carrying out of civil defense functions.

It is further declared to be the purpose of this chapter and the policy of the City that all civil defense functions of this City be coordinated to the maximum extent practicable with the comparable functions of the Federal government, the State government, and comparable functions of the states and localities, and of private agencies of every type, to the end that the most effective preparations and use may be made of the nation's manpower, resources, and facilities dealing with any of the aforementioned disasters that may occur.

306.020 **Definitions.**

- (1) **Civil Defense.** "Civil Defense" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage or other enemy hostile action, or from fire, flood, earthquake, or other natural causes. These functions include, without limitation, fire-fighting services, police services, medical and health services, rescue, engineering, air-raid warning services, communications, radiological, chemical and other special weapons of defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to preparation for and carrying out the foregoing functions.

- (2) Civil Defense Emergency. "Civil Defense Emergency" means any emergency declared by the Governor under Minnesota Statutes Chapter 12.
- (3) Civil Defense Forces. "Civil Defense Forces" means any person employed by the City and any other volunteer or paid member of the local Civil Defense Agency engaged in carrying on civil defense functions in accordance with the provisions of this chapter or any rule or order thereunder.

306.030 Civil Defense Agency. The Civil Defense Agency shall be under the supervision and control of a Director of Civil Defense hereinafter called the Director. The Director shall be appointed by the City Council for an indefinite term and may be removed by the City Council at any time. The salary of the Director shall be set by the City Council annually. He also may be reimbursed for his necessary expenses, at the discretion of the City Council. The Director shall have direct responsibility for the organization, administration and operation of the Civil Defense Agency, subject to the direction and control of the City Council. The Civil Defense Agency shall be organized into such divisions and bureaus, consistent with the State and local civil defense plans, as the Director deems necessary to provide for the efficient performance of local civil defense functions during a civil defense emergency.

306.040 Powers and Duties of Director.

- (A) Intergovernmental. The Director shall represent the City on any regional or state organization for civil defense. He shall develop proposed mutual aid agreements with other political subdivisions within or outside the State for reciprocal civil defense aid and assistance in a civil defense emergency too great to be dealt with unassisted and he shall present such agreements to the City Council for its action. Such arrangements shall be consistent with the State civil defense plan and during a civil defense emergency, it shall be the duty of the Civil Defense Agency and civil defense forces to render assistance in accordance with the provisions of such mutual aid arrangements. Any mutual aid arrangement with a political subdivision of another state shall be subject to the approval of the Governor.
- (B) Training. In accordance with the State and City Civil Defense Plan, the Director shall institute such training programs and public information programs and shall take all other preparatory steps, including the partial or full mobilization of civil defense forces in advance of actual disaster, as may be necessary to the prompt and effective operation of the City Civil Defense Plan in time of a civil defense emergency. He may, from time to

time, conduct such practice air-raid alerts or other civil defense exercises as he may deem necessary.

- (C) Personnel. The Director shall organize, recruit, and train air-raid wardens, auxiliary police, auxiliary firefighters, emergency medical personnel, and any other personnel that may be required on a volunteer basis to carry out the civil defense plans of the City and the State. The Director may dismiss any civil defense volunteer at any time and require him to surrender any equipment and identification furnished by the City.
- (D) Facilities. Consistent with the civil defense plan, the Director shall provide and equip emergency hospitals, casualty stations, ambulances, canteens, evaluation centers, and other facilities, or conveyances for the care of injured or homeless persons.
- (E) Enforcement. The Director shall carry out all orders, rules and regulations issued by the governor with reference to civil defense.
- (F) Authority. The Director shall direct and coordinate the general operations of all local civil defense forces during a civil defense emergency in conformity with controlling regulations and instructions of State civil defense authorities. The heads of departments and agencies shall be governed by his orders in respect thereto.
- (G) Emergency Powers. During the first 30 days of a civil defense emergency, if the legislature is in session or the Governor has coupled his declaration of the emergency with a call for a special session of the legislature, the Director may, when necessary to save life or property, require any person, except members of the Federal or State military forces and officers of the State or any other political subdivision, to perform services for civil defense purposes as he directs and he may commandeer, for the time being, any motor vehicle, tools, appliances or any other property, subject to the owner's right to just compensation as provided by law.

306.050 Civil Defense Workers.

- (A) Eligibility. No person shall be employed or associated in any capacity in the Civil Defense Agency who advocates or has advocated a change by force or violence in the constitutional form of government of the United States or in this State or the overthrow of any Government in the United States by force or violence, or who has been convicted of or is under indictment for information charging any subversive acts against the United States.

- (B) Service. Civil defense volunteers shall be called into service only in case of a civil defense emergency for which the regular municipal forces are inadequate or for necessary training and preparation for such emergencies. All volunteers shall serve without compensation.
- (C) Identification. Each civil defense volunteer shall be provided with such suitable insignia or other identification as may be required by the Director. Such identification shall be in a form and style approved by the Federal Government. No volunteer shall exercise any authority over the person or property of others without his identification. No person except an authorized volunteer shall use the identification of a volunteer or otherwise represent himself to be an authorized volunteer.
- (D) Weapons. No civil defense volunteer shall carry any firearm while on duty except on written order of the Chief of the Police Department.
- (E) Personnel Policy. Personnel procedures of the City applicable to regular employees shall not apply to volunteer civil defense workers but shall apply to paid employees of the Civil Defense Agency.

306.060 Participation in Labor Dispute or Politics. The Civil Defense Agency shall not participate in any form of political activity, nor shall it be employed in a legitimate labor dispute.

307 Economic Development Commission

307.010 Establishment of Commission. An Economic Development Commission is hereby established to advise the City Council on Economic Development and to create a focal point for the economic development of the City.

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5/20/19
Ord. #971

307.020 Composition. The Economic Development Commission shall consist of nine (9) to thirteen (13) members appointed by the City Council, of which the majority must be residents. Membership shall be open to any resident or non-resident representative of a Shoreview-based business that is interested in the business climate and economic development direction of the City. Any member of the commission may be removed by a majority vote of City Council.

307.030 Terms and Compensation. Appointment to the Economic Development Commission shall be made at the first regular January meeting of the City Council, or more often if required. Members shall be appointed for two (2) year terms beginning February 1st and ending January 31st of the second year following. Initial appointments shall be as follows: three (3) members shall be appointed for the term of one (1) year; four (4) members for two (2) years. Members appointed after the initial Commission shall be appointed for a two-year term. Members of the Advisory Commission may receive compensation as the City Council shall provide by resolution.

307.040 Vacancies. In case of a vacancy during the term of office of any member of the Commission, the City Council shall appoint a new member to serve the remainder of the term. A vacancy shall exist if any of the following occur: death, disability, failure to serve, or resignation.

307.050 Organization. The Commission shall annually elect one member to serve as Chair. The Chair is responsible for the agenda of meetings, presiding at meetings, minutes of meetings, and reports and recommendations to the City Council. The Community Development Department shall maintain all records of the Commission. An Executive Committee may be formed and undertake duties assigned to it by the Commission.

307.060 Meetings and Reports. The Commission shall hold meetings as needed. It shall keep minutes which shall be reduced to writing and a copy forwarded to the City Council. The Community Development Director shall be the official advisor.

307.070 Duties and Functions. The duties and functions of the Commission shall be as follows:

- (A) Endeavor to secure a full and complete understanding of the City's needs and desires for Economic Development activities.
- (B) Assist with the development of a business retention and attraction program, i.e., a marketing plan.
- (C) Assure the integration of the City's economic development efforts with its land use planning efforts. This means that business attraction is not an end to itself, but is an element of community development.
- (D) Assist in the identification of commercial/industrial rehabilitation areas, and in working with the affected businesses to sell the effort.
- (E) Assist in business promotion and recognition events, such as the Metro East Development Fair or a Business Appreciation Night.
- (F) Interact with the Chamber of Commerce as a means of improving communications and responsiveness and avoiding duplication.
- (G) Create a focal point for the economic development efforts of the City.
- (H) Participate in the policy making process as requested by the City Council. This may involve occasional joint meetings with the Planning Commission and/or City Council.
- (I) Perform other duties and functions as specifically delegated by City Council.

308 Human Rights Commission

308.010 Policy. It is hereby declared that it is the public policy of the City, in cooperation with the State Department of Human Rights, to secure for all citizens equal opportunity in housing, employment, public accommodations, public services and education, and to work consistently to improve the human relations climate of the City of Shoreview.

308.020 Establishment and Composition. There is hereby reestablished a Human Rights Commission of the City of Shoreview. The Commission shall be composed of seven (7) to nine (9) members and shall be advisory to the City Council. The City Council may, at its own discretion, appoint youth representatives from local area high schools to serve as non-voting members. The youth representative must be a high school sophomore, junior, or senior and attend two regular meetings before being appointed. All members, excluding the youth members, shall be residents of the City of Shoreview. Members shall be appointed by the City Council.

Rev. Date
3/19/07
Ord. 812

308.030 Terms. Members of the Human Rights Commission shall be appointed to staggered terms of three (3) years. Terms shall expire on January 31st of each year. The first Human Rights Commission members terms were staggered in the following manner: two (2) members whose terms expired on January 31, 1994; two (2) members whose terms expired on January 31, 1995; and three (3) members whose terms expired on January 31, 1996. The terms of new members will be set to ensure that memberships continue to be staggered. Upon expiration of a term of office, the members may continue to serve until a qualified successor is appointed.

308.040 Removal. The Council, by a majority vote, may remove any member of the Human Rights Commission without cause.

308.050 Vacancies. Vacancies occurring in the membership of the Human Rights Commission shall be filled for the unexpired term.

308.060 Compensation. Members of the Human Rights Commission shall serve without compensation.

308.070 Duties, Responsibilities. In fulfillment of its purpose, the Human Rights Commission serves in an advisory capacity to the City Council. New programs and policies must receive the approval of the City Council prior to implementation. Specific duties and responsibilities include:

(A) Adopt By-Laws and/or Rules of Conduct for its affairs.

- (B) Develop, in cooperation with the State Department of Human Rights, programs of formal and informal education.
- (C) Formulating human rights programs for the City of Shoreview, subject to review and approval by the Shoreview City Council. These programs shall direct and encourage the work of all individuals and agencies involved in planning, policy making and educational programming in the area of civil and human rights and shall aid citizens in bridging cultural and other differences.
- (D) Coordinating efforts with the Human Rights Commissions of neighboring cities.
- (E) Making recommendations to the City Manager and City Council in regard to the planning or operation of any City Department on issues of civil and human rights and making recommendations regarding the adoption of such specific policies or actions as are needed to provide for full equal opportunity in the City of Shoreview.
- (F) Advising and making recommendations to the City Council in regard to human rights issues.

309 Code of Ethics

309.010 Declaration of Policy. Public officials should be held to a high standard of conduct and responsibility due to the nature of their duties and responsibilities. The proper operation of democratic government requires that public officials be independent, impartial and responsible to the people that government decisions and policy be made through the proper channels of the government structure; that public office not be used for personal financial gain; and that the public have confidence in the integrity of its government.

In recognition of these goals and pursuant to Minnesota Statute 471.895, there is hereby established a Code of Ethics for public officials of the City. The purposes of this code is to establish ethical standards of conduct for all such public officials while acting in their official capacity representing the City by setting forth those acts or actions that are incompatible with the best interests of the City.

309.020 Definition of Terms. Whenever used herein, the following words and phrases shall have the meanings set forth below:

- (A) City. The City of Shoreview.
- (B) Public Official. Any person holding a position by election or appointment in the service of the municipality, whether paid or unpaid, including members of the City Council and all City boards, committees, commissions, and task forces.
- (C) Anything of Value. Money, real or personal property, a permit or license, a favor, a service, forgiveness of a loan or promise of future employment. It does not mean reasonable compensation or expenses paid to an official by the government of Shoreview for work performed.
- (D) Compensation. A payment of "anything of value" to an individual in return for that individual's services of any kind.
- (E) Interested Person. A person or a representative of a person or association that has a direct financial interest in a decision that a public official is authorized to make.
- (F) Gifts. A trinket or memento costing \$5 or less.

309.040 Ethical Standards. In general, public officials are to serve all persons fairly and equitably without regard to their personal or financial benefit. The credibility of City government hinges on the proper discharge of duties in the

public interest. Public officials must ensure that the independence of their judgment and actions is preserved without any consideration for personal gain. The following specific ethical standards shall guide public officials:

- (A) Incompatible Offices. A public official shall not hold another "incompatible" office as that term has been defined in Minnesota Statutes and interpreted by the Courts. The City Manager shall not hold an incompatible office or outside employment without prior notice to and approval by the City Council.
- (B) Undue Influence and Disqualification. A public official shall not hold other office or be employed in a job which compromises the performance of the public official's duties without disclosure of such potentially conflicting office or employment; and, in any event, public officials shall disqualify themselves from participating in actions which might be compromised by their holding of another office or means of employment.
- (C) Open Meeting Law. A public official shall not violate the open meeting law except as permitted under Minnesota Statute 13D.
- (D) Use of Confidential Information. Public officials shall not disclose to others, or use to further their personal interest, confidential information, as defined by the Minnesota Data Privacy Act, acquired by them in the course of their official duties.
- (E) Not Public Data. A public official shall not disclose to the public, or use for the public official's gain or another person's personal gain, information that was obtained due to person's public position if the information was not public data or was discussed at a closed session of the City Council.
- (F) Attorney-Client Privilege. A public official shall not disclose information that was received, discussed, or decided in conference with the City's legal counsel that is protected by the attorney-client privilege unless a majority of the City Council has authorized the disclosure.
- (G) Solicitation of or Receipt of Anything of Value. A public official shall not solicit or receive anything of value from any interested person or association, directly or indirectly, in consideration of some action to be taken or not to be taken in the performance of the public official's duties. Incidental items provided to public officials in the due course of business while attending conferences, seminars, and training sessions, shall be exempt from this provision.
- (H) Holding Investments. No public official shall hold any investment which might compromise the performance of his/her duties without disclosure of

said investment to the City Attorney and self disqualification from any particular action which might be compromised by such investment, except as permitted by statute, such as Minnesota Statute 471.88.

- (I) Representation of Others. A member of the City Council shall not represent interested persons or associations in dealings with the City in consideration of anything of value.
- (J) Financial Interest. Where a public official has a financial interest in any matter being considered by the public official, such interest (if known to the public official) must be disclosed to the City Attorney, and the public official shall be disqualified from further participation in the matter.
- (K) City Property. No public official shall use City owned property such as vehicles, equipment, or supplies for personal convenience or profit except when such property is available to the public generally, or where such property is provided by specific City policy in the conduct of official City business.
- (L) Special Consideration. No public official shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.
- (M) Authority. No public official shall exceed his/her authority, or breach the law, or ask others to do so.
- (N) Giving Anything of Value. No elected public official shall give anything of value to potential voters in return for their votes, promises, or financial consideration which would be prohibited by the State of Minnesota Fair Campaign Practices statute.
- (O) Public Funds. No public official shall use City public funds, personnel, equipment or facilities, for private gain or political campaign activities, unless such equipment and facilities are available to the public.
- (P) Use of Logo or Other City Symbols. Use of the City's logo or any other symbol for non-official City business without approval of the City Council is prohibited.
- (Q) Expenses. Public officials shall provide complete documentation to support requests for expense reimbursement. Expense reimbursement shall be made in accordance with City policy.

- (R) Donations. No public official shall take any action which will benefit any person or entity because of a donation of anything of value to the City by such a person or entity.
- (S) Official Action. No public official shall take an official action which will benefit any person or entity where such public official would not otherwise have taken such action but for the public official's family relationship, friendship, or business relationship with such person or entity.
- (T) Compliance with Laws. Public officials shall comply with all City ordinances and state and federal statutes, including but not limited to, the Criminal Code, Fair Campaign Practices Act, and laws governing the functioning of municipalities, their elected and appointed officials.
- (U) Acceptance of Donations to the City. Public officials may accept donations on behalf of the City regardless of value, and said donations shall become the property of the City.
- (V) Acceptance of Personal Gifts. Public officials may personally accept non-monetary gifts (trinkets and mementos) costing \$5 or less.
- (W) Knowledge of Violations. Public officials shall disclose any possible violations of the City's Ethics Policy to the City Attorney.
- (X) Public Interest. Public officials shall act with the best interests of the City in mind.

309.050 Complaint Review Process

- (A) Complaints Against Public Officials. Allegations of violations against public officials shall be reviewed by the City Attorney who shall:
- (1) Make recommendations to the City Council for disposition of complaints including, but not limited to, the referral of the complaint and/or investigation to an independent counsel or to an administrative law judge; or
 - (2) Refer allegations which may constitute a violation of federal, state, or local statutes to the appropriate authority.
- (B) Complaints Against Public Employees. Allegations made against public employees who are subordinate to the City Manager shall be reviewed by the City Manager who will determine the appropriate responsive action.

(C) Complaints Against Contract Service Providers. Allegations made against persons or entities providing service to the City under a contract shall be reviewed by the City Manager. The City Manager shall mail a copy of the City's Ethics Policy to contractors providing service to the City. Any violation of the provisions of this policy may result in termination of contract or service agreement.